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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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45371 7590 12/19/2007 IBM CORPORATION (RUS) c/o Rudolf O Siegesmund Gordon & Rees, LLp 2100 Ross Avenue Suite 2800 DALLAS, TX 75201			EXAMINER KASSA, HILINA S	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/631,063

Applicant(s)

GUSTER ET AL.

Examiner

Hilina S. Kassa

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34, 36 and 38-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34, 36, 38-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment to the claims and specification submitted on 10/08/2007 has been acknowledged.

Response to Arguments

2. Applicant's arguments with respect to claim 10/08/2007 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's arguments, see pages 1-8, filed 10/08/2007, with respect to the rejection(s) of claim(s) 1-50 under 35 U.S.C 102(b) and 35 U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Owa et al. (US Patent Number 6,348,971 B2).

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
5. Claims 17-50 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims **17 and 33** are drawn to functional descriptive material NOT claimed as residing on a computer readable medium. MPEP 2106.IV.B.1(a) (Functional Descriptive Material) states:

"Data structures not claimed as embodied in a computer-readable medium are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer."

"Such claimed data structures do not define any structural or functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized."

Claims **17 and 33**, while defining a program product operable on a computer, do not define a "computer-readable medium" and is thus non-statutory for that reason. A program product can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to state, "**A computer-readable medium encoded with a program product** ..." in order to make the claim statutory.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US Patent Number 7,148,991 B2) and in view of Owa et al. (US Patent Number 6,348,971 B2).

(1) regarding claims 1 and 17:

As shown in figure 1 and 2, Suzuki et al. disclose a method for printing a document *using a computer connected to a plurality of printers* comprising:

queuing a plurality of documents in a priority queue (18, figure 1; column 16, lines 62-67; column 17, lines 1-13; note that acceptance-completion type sequential processing jobs are jobs that are sequential which is considered as prioritized job);

responsive to a determination that one of the plurality of documents is a high priority document (column 17, lines 9-13), interrupting the printing of another document (column 17, lines 18-26); and

printing the high priority document (column 17, lines 31-36).

Suzuki et al. discloses all of the subject matter as described as above except for printing a documents using a computer connected to a plurality of printer and determining a user-assigned priority of each of the plurality of documents.

However, Owa et al. discloses a printing system comprising a plurality of printers and a host computer that can selectively drive the printers (column 2, lines 14-16). Owa et al. further discloses assigning print jobs to the selected printer based on priority (column 27-34) and determining a user-assigned priority for each of plurality of documents (column 4, line 66-column 5, line 25).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a method for printing a document using a computer

connected to a plurality of printer and determining a user-assigned priority of each of the plurality of documents. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print (column 1, lines 54-67) . Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 1 and 17.

(2) regarding claims 2 and 18:

Suzuki et al. discloses all of the subject matter as described as above except for specifically teaching resuming the printing of the suspended document after the high priority document has printed.

However, Owa et al. discloses resuming the printing of the suspended document after the high priority document has printed (column 7, lines 23-47; note that if priority printing is proceeded, the printing of other print job gets delayed until the current job is completed).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to resume the printing of the suspended document after the high priority document has printed. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print

(column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 2 and 18.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims **3, 5, 8-9, 15-16, 19, 21, 24-25, 31-32, 33, 34, 36, 39, 42-43 and 49-50** rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US Patent Number 7,148,991 B2) and Owa et al. (US Patent Number 6,348,971 B2) as applied to claims 1 and 17 above, and further in view of Christodoulou et al. (US Publication 2002/0159092) and Ferlitsch et al. (US Publication 2004/0190042).

(1) regarding claims 3 and 19:

Suzuki et al. disclose all of the subject matter as described as above except for teaching:

analyzing a metadata in a plurality of document pages to determine a required printer type, the plurality of document pages being from one of the plurality of documents;

separating each of the plurality of document pages into a plurality of print jobs based on the required printer type for each document page;

selecting an appropriate printer for each of the plurality of print jobs; and
printing the plurality of print jobs on the appropriate printers.

However, Christodoulou et al. disclose a method for printing a document comprising:

analyzing a metadata in a plurality of document pages to determine a required printer type, the plurality of document pages being from one of the plurality of documents (paragraph 36, lines 9-16; where the data provided is being analyzed to determine the printer type);

selecting an appropriate printer for each of the plurality of print jobs (paragraph 36, lines 9-16, where the program identifies the printer that is capable of handling the job); and

printing the plurality of print jobs on the appropriate printers (paragraph 36, lines 15-16).

Suzuki et al. and Christodoulou et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to analyze, select and print plurality of print jobs in to the appropriate printers because it is flexible and efficient. The suggestion/motivation for doing so would have been that is efficiency and simplicity to process multiple print jobs. Therefore, it would have been obvious to combine Suzuki et al. with Christodoulou et al. to obtain the invention as specified in claims 3, 19 and 37.

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described as above except for separating each of the plurality of document pages into a plurality of print jobs based on the required printer type for each document page.

However, Ferlitsch et al. teach separating each of the plurality of document pages in to a plurality of print jobs based on the required printer type for each document page (paragraph 15, lines 15-20; note that the plurality of documents get split into alternate printing devices).

Suzuki et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art separating each of documents into a plurality of print jobs for each document page because it saves fast and efficient to process. The suggestion/motivation for doing so would have been that is would be efficient and fast to process a plurality of print jobs that are split into multiple printers. Therefore, it would have been obvious to combine Suzuki et al. with Ferlitsch et al. to obtain the invention as specified in claims 3 and 19.

(2) regarding claims 5, 21 and 39:

Suzuki et al. further disclose the method of claim 3 further comprising:
distributing one of the plurality of document pages to a specific printer holding queue (column 18, lines 34-37; note that the job scheduled gets stored in the corresponding printer queue); and

Suzuki et al. disclose all of the subject matter as described as above except for specifically teaching wherein the required printer for the distributed document page is a specific printer.

However, Owa et al. teach wherein the required printer for the distributed document page is a specific printer (column 8, lines 7-13; note that a specific page gets selected to be printed by the specific printer).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to resume the printing of the suspended document after the high priority document has printed. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer from among the printer connected to the network and command the printer to print (column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 5, 21 and 39.

(3) regarding claims 8, 24 and 42:

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described above except for teaching:

distributing one of the plurality of document pages to a color printer holding queue;

wherein the required printer for the distributed document page is a color printer.

However, Ferlitsch et al. teach distributing one of the plurality of document pages to a color printer holding queue (paragraph 15, lines 20-24);

wherein the required printer for the distributed document page is a color printer (paragraph 15, lines 20-24; note that the color print jobs are redirected to color printing device).

Suzuki et al., Christodoulou et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references because limitations are covered on both references. The suggestion/motivation for doing so would have been for efficiency and preference. It is efficient to have a color printing so that the rest of black and white printers process the other jobs faster. Therefore, it would have been obvious to combine Suzuki et al. with Ferlitsch et al. to obtain the invention as specified in claims 8, 24 and 42.

(4) regarding claims 9, 25 and 43:

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described above except for teaching:

distributing one of the plurality of document pages to a black/white printer holding queue; and

wherein the required printer for the distributed document page is a black/white printer.

However, Ferlitsch et al. teach distributing one of the plurality of document pages to a black/white printer holding queue (paragraph 15, lines 20-22);

wherein the required printer for the distributed document page is a black/white printer (paragraph 15, lines 20-24; note that the black/white print jobs are redirected to black/white printing device).

Suzuki et al., Christodoulou et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references because limitations are covered on both references. The suggestion/motivation for doing so would have been for efficiency and preference. It is efficient to have a black/white printing so that the color printers process the other jobs faster and it is easier to organize. Therefore, it would have been obvious to combine Suzuki et al. with Ferlitsch et al. to obtain the invention as specified in claims 9, 25 and 43.

(5) regarding claims 15, 31 and 49:

Suzuki et al. further disclose printing a control page with each print job (column 7, lines 64-66); and

Suzuki et al. discloses all of the subject matter as described as above except for specifically teaching wherein the control page contains printed instructions for reassembling the document.

However, Owa et al. disclose wherein the control page contains printed instructions for reassembling the document (column 17, lines 6-11; note that after the distribution and printing of pages, the print job gets reassembled to form files).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the control page contains printed instructions for reassembling the document. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print (column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 15, 31 and 49.

(6) regarding claims 16, 32 and 50:

Suzuki et al. disclose all of the subject matter as described as above except for specifically teaching wherein the appropriate printer is determined using a print farm profile.

However, Owa et al. disclose wherein the appropriate printer is determined using a print farm profile (column 8, lines 30-38; note that per applicant's definition of "print farm", the printer gets selected according to the type, size and resolution properties of the print job).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of

ordinary skilled in the art wherein the appropriate printer is determined using a print farm profile. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print (column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 16, 32 and 50.

(7) regarding claim 33:

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described as above except for teaching a program product operable on a computer, the program product comprising:

a computer-readable storage medium; a prioritization program; a classification program; and a plurality of printer programs wherein the prioritization program, the classification program, and the plurality of printer programs are stored in the computer-readable medium.

However, Ferlitsch et al. teach a program product operable on a computer, the program product comprising; a computer-usable medium; wherein the computer usable medium comprises instructions comprising (paragraph 43, lines 1-4): a prioritization program (paragraph 110, lines 1-7); a classification program (paragraph 112, lines 1-6); and a plurality of printer programs (paragraph 43, lines 1-4).

Suzuki et al., Christodoulou et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the two references in order to achieve the results as stated above. The suggestion/motivation for doing so would have been that having a computer program to perform the intended invention would be versatile and compatible. Therefore, it would have been obvious to combine Suzuki et al. with Ferlitsch et al. to obtain the invention as specified in claim 33.

Suzuki et al. further disclose the program product of claim 33 wherein the prioritization program further comprises:

queuing a plurality of documents in a priority queue (18, figure 1; column 16, lines 62-67; column 17, lines 1-2; note that acceptance-completion type sequential processing jobs are jobs that are sequential or prioritized);

responsive to a determination that one of the plurality of documents is a high priority document, instructions for interrupting the printing of another document (column 17, lines 18-26); and

printing the high priority document (column 17, lines 31-36).

Suzuki et al. discloses all of the subject matter as described as above except for specifically teaching determining a user-assigned priority for each of plurality of documents.

However, Owa et al. discloses a printing system comprising a plurality of printers and a host computer that can selectively drive the printers (column 2, lines 14-16). Owa et al. further discloses assigning print jobs to the selected printer based on priority

(column 27-34) and determining a user-assigned priority for each of plurality of documents (column 4, line 66-column 5, line 25).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a method for printing a document using a computer connected to a plurality of printer and determining a user-assigned priority of each of the plurality of documents. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print (column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claim 33.

Suzuki et al. disclose all of the subject matter as described as above except for teaching:

analyzing a metadata in a plurality of document pages to determine a required printer type, the plurality of document pages being from one of the plurality of documents;

separating each of the plurality of document pages into a plurality of print jobs based on the required printer type for each document page;

selecting an appropriate printer for each of the plurality of print jobs; and
printing the plurality of print jobs on the appropriate printers.

However, Christodoulou et al. disclose a method for printing a document comprising:

analyzing a metadata in a plurality of document pages to determine a required printer type, the plurality of document pages being from one of the plurality of documents (paragraph 36, lines 9-16; where the data provided is being analyzed to determine the printer type);

selecting an appropriate printer for each of the plurality of print jobs (paragraph 36, lines 9-16, where the program identifies the printer that is capable of handling the job); and

printing the plurality of print jobs on the appropriate printers (paragraph 36, lines 15-16).

Suzuki et al. and Christodoulou et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to analyze, select and print plurality of print jobs in to the appropriate printers because it is flexible and efficient. The suggestion/motivation for doing so would have been that is efficiency and simplicity to process multiple print jobs. Therefore, it would have been obvious to combine Suzuki et al. with Christodoulou et al. to obtain the invention as specified in claim 33.

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described as above except for separating each of the plurality of document pages into a plurality of print jobs based on the required printer type for each document page.

However, Ferlitsch et al. teach separating each of the plurality of document pages in to a plurality of print jobs based on the required printer type for each document

page (paragraph 15, lines 15-20; note that the plurality of documents get split into alternate printing devices).

Suzuki et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art separating each of documents into a plurality of print jobs for each document page because it saves fast and efficient to process. The suggestion/motivation for doing so would have been that it would be efficient and fast to process a plurality of print jobs that are split into multiple printers. Therefore, it would have been obvious to combine Suzuki et al. with Ferlitsch et al. to obtain the invention as specified in claim 33.

(8) regarding claim 34:

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described as above except for teaching wherein the plurality of printer programs comprises a color printer program, a black/white printer program, and a specific printer program.

However, Ferlitsch et al. teach wherein the plurality of printer programs comprises a color printer program, a black/white printer program, and a specific printer program (paragraph 15, lines 20-50; paragraph 13, lines 4-8; note that color and black and white print jobs are analyzed also, a specific printer program is considered as redirecting print jobs).

Suzuki et al., Christodoulou et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art that to merger the two references in order to achieve the above invention. The suggestion/motivation for doing so would have been it increases versatility. Therefore, it would have been obvious to combine Suzuki et al. and Ferlitsch et al. to obtain the invention as specified in claim 34.

(9) regarding claim 36:

Suzuki et al. disclose all of the subject matter as described as above except for specifically teaching instructions for resuming the printing of the suspended document after the high priority document has printed.

However, Owa et al. discloses resuming the printing of the suspended document after the high priority document has printed (column 7, lines 23-47; note that if priority printing is proceeded, the printing of other print job gets delayed until the current job is completed).

Suzuki et al. and Owa et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to resume the printing of the suspended document after the high priority document has printed. The suggestion/motivation for doing so would have been because such method is efficient enough for a user to select any desired printer form among the printer connected to the network and command the printer to print

(column 1, lines 54-67). Therefore, it would have been obvious to combine Suzuki et al. with Owa et al. to obtain the invention as specified in claims 2 and 18.

(10) regarding claims 4, 20 and 38:

Suzuki et al. and Christodoulou et al. disclose all of the subject matter as described as above except for to teach reassembling the plurality of printed print jobs to produce a finished document.

However, Ferlitsch et al. teach reassembling the plurality of printed print jobs to produce a finished document (paragraph 104, lines 1-12).

Suzuki et al., Christodoulou et al. and Ferlitsch et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art that to merger the two references in order to achieve the above invention. The suggestion/motivation for doing so would have been it increases adaptability and efficiency. Therefore, it would have been obvious to combine Suzuki et al. and Ferlitsch et al. to obtain the invention as specified in claims 4, 20 and 38.

10. Claims **6-7, 22-23** and **40-41** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US Parent Number 7,148,991 B2), Owa et al. (US Patent Number 6,348,971 B2) and Christodoulou et al. (US Publication 2002/0159092) and Ferlitsch et al. (US Publication 2004/0190042) as applied to claim 5 above, and

further in view of Wong et al. (US Application Number 2004/0179219 A1).

(1) regarding claims 6, 22 and 40:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching wherein the specific printer is a printer containing letterhead.

However, Wong et al. teach wherein the specific printer is a printer containing letterhead (paragraph [0002-0004]).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Wong et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art that letterhead printing is one type of printing that requires less resolution. The suggestion/motivation for doing so would have been that it optimizes print properties and makes it efficient. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Wong et al. to obtain the invention as specified in claims 6, 22 and 40.

(2) regarding claims 7, 23 and 41:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching wherein the specific printer is a photographic printer.

However, Wong et al. teach wherein the specific printer is a photographic printer (paragraph [0002-0004]).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Wong et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art that another type of printing can include photographic printer. The suggestion/motivation for doing so would have been for quality and flexibility. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Wong et al. to obtain the invention as specified in claims 7, 23 and 41.

11. Claims **10**, **26** and **44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US Parent Number 7,148,991 B2), Owa et al. (US Patent Number 6,348,971 B2), Christodoulou et al. (US Publication 2002/0159092) and Ferlitsch et al. (US Publication 2004/0190042) as applied to claim 3 above, further in view of Kujirai et al. (US Patent Number 7,072,071 B2).

(1) regarding claims 10, 26 and 44:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching:

comparing each print job to a printer page threshold; and

responsive to a determination that the number of document pages in the print job exceeds the printer page threshold, separating print job into a plurality of print jobs.

However, Kujirai et al. teach comparing each print job to a printer page threshold (column 15, lines 17-23, lines 28-35); and responsive to a determination that the number of document pages in the print job exceeds the printer page threshold (column 15, lines 28-35), separating print job into a plurality of print jobs (column 16, lines 1-8).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Kujirai et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art that comparing each print job to a printer page threshold and responsive to a determination that the number of document pages in the print job exceeds the printer page threshold, separating print job into a plurality of print jobs. The suggestion/motivation for doing so would have been efficient enough to provide less amount of process for each device and increases variety of allocation (column 16, lines 7-8). Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al., and Ferlitsch et al. with Kujirai et al. to obtain the invention as specified in claims 10, 26 and 44.

12. Claims **11-14, 27-30** and **45-48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (US Parent Number 7,148,991 B2), Owa et al. (US Patent Number 6,348,971 B2), Christodoulou et al. (US Publication 2002/0159092) and Ferlitsch et al. (US Publication 2004/0190042) as applied to claim 3 above, further in view of Yoshikawa (US Patent Number 6,132,116).

(1) regarding claims 11, 27 and 45:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching: calculating the time until the printers are available; and sending the print job to the first available printer.

However, Yoshikawa discloses calculating the time until the printers are available (column 5, lines 3-14); and sending the print job to the first available printer (column 15, lines 65-67; column 16, lines 1-6).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Yoshikawa are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to calculating the time until the printers are available and sending the print job to the first available printer. The suggestion/motivation for doing so would have been efficient for users not to wait too long for print jobs and it also improves the printing performance. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Yoshikawa to obtain the invention as specified in claims 11, 27 and 45.

(2) regarding claims 12, 28 and 46:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching: calculating the time required for the print jobs to print; and sending the print jobs to the printer with the lowest calculated time required to print the print job.

However, Yoshikawa discloses calculating the time required for the print jobs to print (column 15, lines 21-56; note that the quantify means are calculating the time it takes a print job to be printed in a page by page basis); and sending the print jobs to the printer with the lowest calculated time required to print the print job (column 15, lines 21-56; note that the system sends the document to the printer has low page by page recording time).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Yoshikawa are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to calculating the time required for the print jobs to print; and sending the print jobs to the printer with the lowest calculated time required to print the print job. The suggestion/motivation for doing so would have been to maximize the efficiency. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Yoshikawa to obtain the invention as specified in claims 12, 28 and 46.

(3) regarding claims 13, 29 and 47:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching: ranking the printers based on the time until the printers are available; and assigning the print jobs to the primers based on the printer ranking.

However, Yoshikawa discloses ranking the printers based on the time until the printers are available (column 5, lines 12-14; note that where the selection of the optimum printer is being interpreted as a ranking system); and assigning the print jobs to the printers based on the printer ranking (column 5, lines 3-14; note that the jobs are assigned to the first available printer).

Suzuki et al., Christodoulou et al., Ferlitsch et al. and Yoshikawa are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art ranking the printers based on the time until the printers are available; and assigning the print jobs to the printers based on the printer ranking. The suggestion/motivation for doing so would have been to maximize the efficiency. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Yoshikawa to obtain the invention as specified in claims 13, 29 and 47.

(4) regarding claims 14, 30 and 48:

Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. disclose all of the subject matter as described as above except for teaching: ranking the printers based on the time required for the print jobs to print; and assigning the print jobs to the printers based on the printer ranking.

Yoshikawa discloses ranking the printers based on the time required for the print jobs to print (column 16, lines 4-6; note that the selection of the optimum printer is being interpreted as a ranking system); and assigning the print jobs to the printers based on

the printer ranking (column 15, lines 21-56; note that the system sends the document to the printer that has low page by page recording time).

Suzuki et al., Owa et al., Christodoulou et al., Ferlitsch et al. and Yoshikawa are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to ranking the printers based on the time required for the print jobs to print; and assigning the print jobs to the printers based on the printer ranking. The suggestion/motivation for doing so would have been efficient for users not to wait too long for print jobs and it also improves the printing performance. Therefore, it would have been obvious to combine Suzuki et al., Owa et al., Christodoulou et al. and Ferlitsch et al. with Yoshikawa to obtain the invention as specified in claims 14, 30 and 48.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb could be reached at (571) 272- 7406.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington, D.C. 20231


Or faxed to:

(703) 273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Hilina Kassa

December 17, 2007


TWYLER LAMB
SUPERVISORY PATENT EXAMINER

